

# HOT SHOT FOR RUSSIA IN SENATE DEBATE

## MILLIONAIRE KILLS HIMSELF IN HOTEL

WEATHER—Fair to-night and Wednesday; colder.

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**FINAL**  
EDITION.

**The**



**World**

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### JOHN BIGELOW, NEW YORK'S "GRAND OLD MAN," DIES AS HE HAD PREDICTED

94-Year-Old Author Told Andrew Carnegie Three Weeks Ago Death Was Near.

END CAME PEACEFULLY.

Noted Figure of New York Life Knew That He Was Wearing Out.

John Bigelow is dead at ninety-four. The end of his busy, high minded, vigorously intelligent life was at 8 o'clock this morning at his home in Gramercy Park. It was due to the wearing out of vital organs. He had expected its coming. Since last night his tongue had been paralyzed and he was unable to speak to those about him when he realized how close he was to death. In the last few minutes he opened his eyes, smiled lovingly to those about him and nodded weakly.

Only three weeks ago, when Andrew Carnegie, as part of his own birthday celebration, called on John Bigelow for the exchange of birthday greetings, he said to the old gentleman:

"You look well. I hope to be here on your hundredth birthday."

"No," said Mr. Bigelow, but without sadness, this is my last birthday, friend. I am fast wearing out. I shall be here but a short time."

At Mr. Bigelow's bedside this morning were his daughter Grace, his son John, his granddaughter Charlotte Harding and his physician, Dr. Milton Powell.

Mr. Bigelow was a Swedenborgian. There will be as little as possible public announcement regarding his funeral. His family want his passing to the grave to be as simple and dignified as his life. It will be at St. George's Church either Thursday or Friday of this week, in the early morning.

**AUTHOR KNOWN AS "THE FIRST CITIZEN OF NEW YORK."**

For many years John Bigelow was known as the "First Citizen of New York," following the expression of a sentiment of Seth Low which really had public approval. Tall, with a scholarly air, with a pair of white whiskers, which he wore at the sides of his face, mutton chop fashion, with a shock of thick white hair peeping from under his old-fashioned silk hat, wearing a cloak of the early half of the last century about him, rather than an overcoat, he was a lovable and inspiring sight of the town as he rode out through Gramercy Park to Fifth Avenue, with his daughters or his granddaughters beside him.

His home was a marvel. It had become saturated with the keen, kindly, philosophical, scholarly character of the man. In it was a library of historical documents and rare volumes, requiring the constant attention of a librarian to care for it and catalogue it. In it were "curious" volumes for which collectors will fight like wolves if there is ever a dispersal sale. In it are the correspondence which Mr. Bigelow had with Seward and Sumner when he was Minister to France during the civil war and the squabble with France over the assumption by that country of sovereignty in Mexico. There are letters there proving that Russia sent a friendly fleet to this country as a threat against British intervention for the Confederacy.

John Bigelow was born in Malden, on the Hudson. His father was a prosperous storekeeper in the days when the country store was a trading post and brokerage and banking house for every conceivable activity of farm life. John Bigelow did chores about the place until he went to college. His father was a well read man, with a lively interest in politics, and the foundations of the son's education were laid by him.

Mr. Bigelow left Washington College at Hartford (now Trinity) before graduation because he did not think he had been properly graded for scholarship. He went to Union College at Schenectady and won the highest honors, but they were not awarded to him because of the technicality that he was not present on Commencement day. His quarrel with Union was not settled until

### TAFT WILL NOT GRANT A PARDON TO BANKER MORSE

Health of Prisoner Not in Critical State and No Further Clemency Planned.

WASHINGTON, Dec. 19.—President Taft and Attorney-General Wickersham made it plain to-day that for the present no further action would be taken by the Government in the case of Charles W. Morse.

Mr. Wickersham, following a meeting of the Cabinet, said that Morse was not in a critical condition and would remain in the army hospital at Fort McPherson, near Atlanta, where he was removed from the Atlanta Penitentiary several weeks ago.

No application for a commutation of sentence will be considered by the President or Mr. Wickersham unless the condition of Morse grows materially worse. A parole has never been under consideration. Officials here say that Morse's friends cannot expect further action at this time. They point out that the Department of Justice has been most lenient in its handling of Morse since it became known that he was seriously ill.

ATLANTA, Ga., Dec. 19.—The condition of Morse grows materially worse. A parole has never been under consideration. Officials here say that Morse's friends cannot expect further action at this time. They point out that the Department of Justice has been most lenient in its handling of Morse since it became known that he was seriously ill.

**BEEF TRUST JURY BOX FULL; READY FOR TESTIMONY.**

Taking of Testimony Against Chicago Packers in Criminal Trial Begins To-day.

CHICAGO, Dec. 19.—Twelve good men and true were selected to-day to try the ten millionaire packers on the charge of criminal conspiracy in restraint of trade. The jury was unexpectedly completed at noon, just when it appeared that several more days would be required in securing arbiters satisfactory to both sides.

The taking of testimony will begin this afternoon. The men who will try the packers are: Asa Bannister, farmer, Naperville; H. I. Bucklin, farmer, Dundee; Burton H. Meyers, insurance solicitor, Naperville; W. J. Thompson, clerk, Chicago; C. H. Bates, La Grange; J. H. Edwards, telephone inspector, Ottawa; Jacob Gleim, baker, Ottawa; Adam Clow, farmer, Plainfield; Thomas Scott, millwright, Chicago; J. E. Harvey, grocer, Wilton Center; and E. J. Ryan, salesman, Streator.

The selection of the jury was completed after ten days' work, during which 147 gentlemen were examined.

**FRIEND SHOT HIM TO DEATH.**

"A friend! He did it. A friend!" That was the only assistance Pasquale Marino would give the Minnola. L. I. police in their search for a man who shot him in the back and right arm on a road near Floral Park, Minnola. He died at the Nassau Hospital early to-day.

The police are at a loss to account for the shooting. The victim had 390 when he was taken to the hospital. He was thirty-nine years old and lived at No. 13 Ten Eyck street, Brooklyn.

**MODEL HATS REDUCED TO \$5.**

NEW YORK, Dec. 19.—Early to-day the Little Gray Shop, 43 West 35th street, made the surprising announcement that all the rest of this week their winter model hats will be sold at clearance prices reduced to as low as \$5. This is a rare opportunity for the woman who wishes an extra hat, or one for gift purposes, to obtain a genuine Fifth Avenue creation at cheapest department store price.—Advt.

MARTIN GARVEY, WHOSE COUNSEL SAYS MURDER CHARGE IS "FRAME-UP."



### TWO SAY GARVEY IS "POP-EYE" MAN IN TAXI MURDER

Third Witness for State Positive, Though, Jeweller's Slayer Had Mustache.

A mustache and a pair of "bugling eyes" may be the crucial points on which will turn the fate of Martin W. Garvey, on trial before Justice Marcus in the Criminal Branch of the Supreme Court charged with what has become known as the "taxi murder." Two witnesses were called to-day who say that they saw Adolph Stern shot dead as he rushed from the jewelry store of Jacob Jacoby at Thirteenth street and Sixth Avenue, after a robber had smashed a window with a stone and had made off with jewels valued at \$3,000.

One witness, John O'Flaherty, declared that the man with the gun had a bushy mustache and "great, bugling eyes." Garvey is smooth of face and his eyes, while prominent, are not unusually so.

Another witness identified Garvey as the man who did the shooting and then escaped in a taxi cab. He said he got a good look at the murderer, and in court he pointed out Garvey as the man.

A third witness, Henry Peterson, also saw the fatal shot fired and got a good look at the murderer, he said. He pointed Martin Garvey out as the man and could not be shaken on cross-examination.

**CONTEST IDENTIFICATIONS OF "POP-EYED" MAN.**

The trial was resumed to-day with Jeweller Jacoby still under Mr. Wellman's cross-examination. He admitted yesterday that he had a good look at the man with the revolver, but in his excitement he could remember little except that the murderer had "sharp eyes." He failed to identify Garvey in the Tombs. Mr. Jacoby had told about seeing the pictures of Garvey in the newspapers, and Mr. Wellman produced newspaper photographs of the picture which Mr. Jacoby said that he had seen.

Mr. Wellman then said "The defence is that those witnesses who have made identifications of Garvey did so largely from information they received from the newspapers."

Policeman Edward S. Boyle, who was on Sixth Avenue on the night of the shooting, testified that he saw Stern lying dead in his store when he was summoned. The robbery by this time had made their "getaway."

John O'Flaherty, employed in the office of the City Water Supply, was the first witness of the actual shooting called by the prosecution. On the night of the murder, about 9 or 10 o'clock, he said, he stopped in front of Jacoby's jewelry store.

**SAW THE ROBBERY AND THE SHOOTING.**

"I was standing there a while," he said, "when I heard the crash of glass in a window nearest Thirteenth street. I saw a man pry back the bars of the window with both hands. Then I saw him take something from the window. The man then ran towards the Thirteenth corner, and I saw another man

### MILLIONAIRE'S SUICIDE HIDDEN FOR EIGHT HOURS

Nathan F. Strauss Shoots Himself Dead in Room at St. Hubert Hotel.

FAMILY KEEPS SECRET.

Undertaker Reveals Cause of Rich Pipe Maker's Sudden Death.

Late this afternoon the police were informed of the suicide by shooting of Nathan F. Strauss, a millionaire tobacco manufacturer, in his apartments at the St. Hubert Hotel, No. 120 West Fifty-seventh street. The family and friends of Mr. Strauss withheld the report of his death for eight hours. The first news came to them from an undertaker, Charles N. Pollak, of No. 125 East Forty-seventh street, who telephoned to Coroner Feinberg that Mr. Strauss had killed himself.

According to a statement this afternoon by Jerome Foster of No. 119 West Twenty-first street, a manufacturer of artificial flowers, Miss Henrietta Strauss, sister of Mr. Strauss, who kept house for him, heard him go to the bathroom at 7 o'clock this morning, heard him cry out and then heard the sound of a shot and a fall.

She found him lying on the bathroom floor and at once called Dr. Joseph Frankel, a nerve specialist who had been attending her brother, Mr. Strauss died immediately after the physician's arrival.

Mr. Strauss had been a victim of neurasthenia for four years. His business was in excellent order and prospering. Mr. Foster said. He was partner in the firm of Kaufman Brothers & Bondy, and was a member of the Harmony Club, the New York Bridge Whist Club and a graduate of Columbia College.

Coroner Feinberg this afternoon investigated the death and despite statements of the family to the contrary, said that Mr. Strauss had shot himself.

### GIANT PRISONER RIPS CELL APART IN POLICE BATTLE

Victim of Delirium Tremens Smashes Glass, Starts Flood and Gashes Himself.

When John B. Reilly, a six-footer, was brought to Yorkville Police Court prison to-day charged with assaulting his landlady, Mrs. Elizabeth Opperman, of No. 337 East Fifty-first street, he was asserting an extremely active case of delirium tremens. Two detectives, three uniformed policemen and five constables put Reilly in the detention pen and sent a hurry call to Flower Hospital for an ambulance and eight or nine strait jackets.

Before the ambulance arrived Reilly and his delirium tremens were well started on the way to tear down the court house. As a starter, Reilly tore out the sink in the detention room and headed the police.

The iron legs of the sink he broke all the panes of glass in a big window overlooking the courtyard and smashed everything in the room that he could smash. He was trying to batter out the front of the detention pen when a big piece of glass on the floor engaged his attention.

Reilly picked up the glass, rolled up the left leg of his trousers and gashed himself frightfully in the leg. He lost so much blood that a dozen officers were able to enter the cell and subdue him. He lay on the floor for some time, tied a tourniquet around his leg, encased him in strait jackets and hurried him to the prison ward of Bellevue Hospital.

**George Conditine Sued.**

George F. Conditine, proprietor of the Hotel Metropole, is being sued in the City Court for \$4,500 by Philip J. Dwyer, the racing man. The amount is alleged to be due on a promissory note given by Conditine Oct. 1, 1909. Dwyer says the note was for \$5,000, but Conditine paid him \$500 on account six years ago. Conditine gave him "Dreamland" stock as security for the balance, he says, but he did not want it.

### NOT EVEN A JAR FROM THE SHOTS IN MORTAR TESTS

Long Islanders Phone Fifteen Minutes After First Asking When Firing Will Begin.

ALL WAITING IN DREAD.

Projectiles Hurlled Seven Miles Across Sound, Only Make Splashes on Water.

Every man recalls that when he was a small boy on some Fourth of July he tried for the first time the experiment of holding a lighted fire cracker in his fingers and waiting for it to explode, and now, instead of the expected resounding report and possibly the scattering of said fingers over the surrounding landscape, the fire cracker emitted a stream of sparks and a feeble "whizz-z-z-z."

Well, that's just what the vigorously touted test of the great mortars at Fort Totten amounted to to-day. It was a "whizzer."

The first gun was to have been fired at 8.30 o'clock. Promptly at 8.30 o'clock everybody in Flushing, Whitestone, Bayville, Little Neck, Great Neck, Port Washington, Douglaston and other settlements, close by Fort Totten sat tight and held fast. Nothing happened.

The populace in the affected zone continued to sit tight and hold fast and still nothing happened. At 10.45 o'clock the first mortar was fired and a charge of fifty-seven pounds of smokeless powder lifted a half-ton projectile high in the air and hurled it seven miles over the Sound to a point near Execution Light, where it landed in the water with a great splash.

**DIDN'T EVEN KNOW FIRING HAD BEGUN.**

At 11 o'clock somebody telephoned over to the Fort from Great Neck and asked when the firing was to begin. Col. Cronkhite, the commandant of the fort, smiled grimly. The only damage he could find was a broken pane of glass in the mess hall, 600 feet from the mortar pit.

There are eight of the great twelve-inch mortars, howitzers in two pits at Fort Totten. To-day's test called for the firing of each of the guns twice. The object was to test a new and improved gun carriage, which is designed to take up the shock of the explosion without allowing it to communicate to the surrounding territory.

Col. Cronkhite almost started a panic along the northern edge of Queens and Nassau Counties when he sent notices a few days ago to all residents of the district to get ready for a big shock. The people were advised to open their windows and doors, look out for their crockery and porcelain and stand on their toes with their mouths open when the big guns should be fired. Such a clamor of protest followed the notice that Col. Cronkhite sent out messages of reassurance. He said the firing really wouldn't amount to much and he had only advised precautionary measures as a matter of routine. He feared the shock of the explosion might carry through the earth along rock formations and jar buildings at a distance, but declared that such a contingency was remote.

**VILLAGERS RESUME THEIR NORMAL WAYS OF LIFE.**

After the firing of the first gun to-day the thriving and busy communities within the Fort Totten zone resumed their ordinary appearance. Residents no longer sat tight and held fast. An occasional rumble told that another big projectile had been sent hurtling out over the Sound from which sheets of water all craft of any description had been banished within eight miles of Fort Totten.

The firing proceeded slowly because of the necessity for keeping the Sound clear of vessels within the firing zone. Despite all precautions a boat of some kind would butt in every once in a while and the artillerymen would have to wait until she had been chased out by the patrol.

The seventh shot was fired at 1.30 o'clock this afternoon. No damage had been done to property in any of the villages in the danger belt. It was decided that the last nine shots would be fired with heavier charges of powder and that the projectiles would be sent the full eight-mile distance.

The chief sufferers were the newspaper and magazine photographers. They got too close to the gun on the fourth explosion. The concussion broke not only the lenses of their cameras but all their plates.

NEW YOUNG ELOPERS  
UNTIED FROM KNOT  
OF AUTO ROMANCE



### CHILD BRIDE GETS HER DIVORCE HERE SAVING RENO TRIP

Seventeen-Year-Old Hannah Levy Smashes Romance Begun With Auto Crash.

The elopement of pretty seventeen-year-old Hannah Gens and Milton Harold Levy, driver of racing automobiles, to Justice of the Peace Waring's Gretna Green in Hoboken in November, 1909, where they were married at 11 o'clock at night, was recited by the bride before Justice Davis in the Supreme Court to-day, in her father's action to annul the marriage. Mrs. Levy's romance was dissolved and she's Hannah Gens again.

Levy, who is not twenty years old, failed to defend the action. His bride told how she met the dashing driver at Pyle Park, N. J., a year ago. Levy's car ran into a post and his skull was fractured. While he lay unconscious in St. Joseph's Hospital in Paterson Miss Gens visited him, decked his room with flowers, and nursed him while he was comatose. They had met a short time previously.

Returning to New York, young Levy went to Miss Gens's father, who is a wealthy real estate dealer at No. 204 West One Hundred and Nineteenth street, and asked for the girl's hand. He was refused and the elopement was planned. He wanted to the Gens house at 11 o'clock. Mrs. H. picked up her sweetheart and took him to the ferry to Justice Waring's office.

The bride returned to her parents' home and remained nine days. Then she and Levy began housekeeping at No. 90 West One Hundred and Ninety-first street, where they remained until April 4, when Mrs. Levy returned to her mother, with tears and pleadings for forgiveness. Her husband had been "taken as he would be" to her.

She left a note in the disrupted flat as follows:

"I never bothered much about her conversations," he testified. "All she had to do was to ask for the money, and if I didn't have it I'd borrow it, and give it to her. One time, when she hadn't borrowed for some time, she told me she had been down to Long Beach and at Lakeside, recuperating from neurasthenia. Of course, I believed her. I always thought she was a perfect lady, until I asked her for the money. Then I changed my mind."

Levy did not finish his cross-examination. He was telling of his visits to Mrs. Kockman's apartments, at which he was accustomed to stay from 5 until 10 o'clock of an evening, when the case was put over until to-morrow.

### TREATY ABROGATION IN SENATE BRINGS ATTACK ON RUSSIA

Rayner Leads Off With Speech on Passport Policy, and Says the United States Has Too Long Delayed Action.

BILL IS SURE TO PASS  
UPPER HOUSE OF CONGRESS.

Lower Branch Also to Put Measure Through—Senators in Heated Debate.

WASHINGTON, Dec. 19.—The Senate was in session late to-day paving the way toward ratification of President Taft's action in abrogating the Russian treaty of 1832. Many Senators were prepared with speeches and it became evident after four hours of the sitting that a vote might not be reached until midnight. The Senate floor and galleries were filled with a throng eager to see the proceedings.

Senator Rayner inaugurated the debate with a speech he had prepared yesterday and which sharply criticised Russia in the passport matter and denounced the discrimination because of religious belief. He was interrupted many times. Senator Lodge followed in support of the resolution of ratification which he reported yesterday from the Foreign Relations Committee.

Senator Lodge urged avoidance of any words that would inflame action that would make the United States position impregnable and forever stop "the discriminations against any of our citizens."

Senator Lodge said that action by Congress on the Jewish passport question had been delayed because of the hope that diplomatic negotiations would bear fruit. Answering Mr. Culberson's remarks of yesterday, he said that it was a question whether the House had been more discourteous to the President than the President to the House. The House had taken its abrogatory action in the face of the President's announcement that the question was under consideration between the two countries. Mr. Lodge's argument was intended to justify the course of the President in asking the indorsement of the Senate only.

Senator Smith of Maryland then spoke, urging immediate action.

A hot clash over the passport question between Senators Root and Rayner adds to the stir over the treaty.

The House will approve the Senate resolution as soon as it is received, according to present plans, instead of sending it to conference, although everything is ready for that step if necessary. The House Foreign Affairs Committee prepared for action to-morrow in the event of Senate action to-day.

"The night of barbarism must close as far as we are concerned," said Senator Teller Rayner, in his speech advocating the abrogation of the treaty with Russia. "This is the land of religious liberty, so ordained by the wisdom of God and so created by the genius of man. We cannot permit any autocratic government to visit this iniquity upon our citizens. The day of religious persecution is over. It is useless to talk of negotiations. The Russian Government cannot be negotiated with."

**STATE DEPARTMENT DELAYED ACTION TOO LONG.**

"Without criticizing the State Department or any one else, I cannot understand why this Government has not long ago demanded of those in authority in this despotism that if they do not amend their code of religious persecution and become proselytes at the altar of reason and humanity they will no longer be allowed to retain friendly contact and intercourse with our free institutions."

"What is the cause of this intolerance?" Have these people committed any crime against the laws or institutions of Russia? Yes, they have. They have committed the same crime which their forefathers committed and which their posterity will continue to commit to the remotest generation. They have worshipped God according to the tradi-

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